



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

Telecommunication
SPECIAL

February 28, 1984

LEGISLATIVE REFERRAL MEMORANDUM

Legislative Liaison Officer

TO:

Department of Justice
Department of Defense
✓ Central Intelligence Agency
National Security Council
General Services Administration

*"No objection"
per phone call
to OMB (J. Morris
office) 8:30 a.m.
2/29/84
RAD*

SUBJECT:

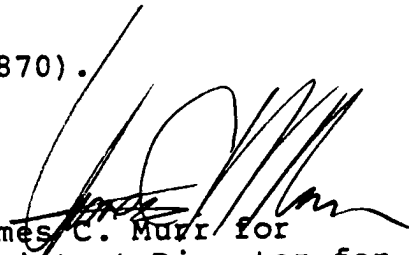
United States Information Agency testimony
on H.R. 4620, the "Federal Telecommunications
Privacy Act."

(GSA testimony was sent to you on 2/27/84,
and NSA testimony will be circulated later
today, 2/28/84.)

The Office of Management and Budget requests the views of your
agency on the above subject before advising on its relationship
to the program of the President, in accordance with OMB Circular
A-19.

Please provide us with your views no later than 10:00 a.m.
Wednesday, February 29, 1984.

Direct your questions to me at (395-4870).


James C. Murr for
Assistant Director for
Legislative Reference

Enclosures

cc: Adrian Curtis
Frank Reeder

Jim Jordan
Fred Fielding

P. Schlueter
Mike Uhlmann

Arnie Donahue

STATEMENT OF
CHARLES Z. WICK
DIRECTOR, UNITED STATES INFORMATION AGENCY
BEFORE THE SUBCOMMITTEE ON LEGISLATION AND NATIONAL SECURITY
HOUSE GOVERNMENT OPERATIONS COMMITTEE
H.R. 4620
THE FEDERAL TELECOMMUNICATIONS PRIVACY ACT OF 1984
March 1, 1984

Mr. Chairman, Members of the Committee, it is customary for witnesses to begin their statements before a Committee of Congress with the phrase, "It is a pleasure to appear before the Committee today." In fact, in this instance, for me to say that would be disingenuous. I am not, unfortunately, pleased to be here under the present circumstances. I can only hope, Mr. Chairman, that out of these hearings will come a clarification of issues and a codification in law which will help others avoid mistakes which I have made in the past.

From time to time during my tenure as Director of the United States Information Agency, I recorded telephone calls--or directed that notes on them be taken down by a secretary. I have used recording equipment in the way others use written notes, to help me make more fully informed decisions and to convey these decisions to associates effectively. My purpose was always to extend the reach of my own memory, never to threaten or humiliate others. It has, in retrospect, become clear to me that in trying to be meticulous about my own managerial tasks, I frequently ignored the potential impact on others. As I mentioned in a statement released January 9th, a copy of which I am submitting, with your permission, for inclusion in the record, I now understand that the recording of others without their consent is unfair, invades their privacy, and could lead to other, more dangerous practices. I have apologized, either in person or in writing, to all those I may have harmed by my taping practices and very much regret any embarrassment the revelation of that may have caused them.

The staff of the Committee on Foreign Affairs of the House of Representatives looked into this matter fully. Their report discusses in some depth the procedures I followed and concluded that those practices did not "reveal any abuse of...official position for political or personal gain, nor [did they] contain any statements which would compromise the integrity of the Agency." Pursuant to the recommendation of Chairman Dante Fascell and the GSA, I can report that USIA is working expeditiously to put into place clear regulations governing future actions.

I have reviewed the bill introduced by you, Mr. Chairman, H.R. 4620, the Federal Telecommunications Privacy Act of 1984. My comments are, of necessity, largely personal. I know that the Committee will be calling as witnesses representatives of various other government agencies who will avail themselves of an opportunity to discuss with you how a statutory enactment such as this would represent could affect their current operations. I would not presume to address those issues. What I did was a violation of a General Services Administration Property Management Regulation. While I believe I am now more sensitive to the import of such a regulation, the fact remains that what I did was not illegal--not in violation of law. Had your bill been in place at that time, I can assure you I would have been more attentive to the issue.

Mr. Chairman, Members of the Committee, at this time I would be pleased to respond to any questions you may care to ask.



STATEMENT BY DIRECTOR CHARLES Z. WICK AND AGENCY FACT SHEET

The following Statement and Fact Sheet were released by USIA on January 9, 1984.

Today I have made available to the Senate Foreign Relations Committee and House Foreign Affairs Committee tape cassettes, transcripts of tape recordings, and other related material requested by the two Committees. The material delivered includes all tape recordings I know to exist of telephone conversations made or received by me during my entire time in government.

This seems an appropriate occasion for me to sum up my feelings about this controversy.

Since becoming Director of the United States Information Agency, I have from time to time taped my communications with others, my plans and my reminders to myself. I used recording equipment in the way others use written notes—to help me make more fully informed decisions and to convey these decisions to associates more effectively. My purpose was always to extend the reach of my own memory, never to threaten or humiliate others. But it has become quite clear to me that in trying to be meticulous about my own managerial tasks I frequently ignored the potential impact on others. I now understand that taping of others without their consent is unfair, invades their privacy, and can lead to other, more dangerous practices.

I freely apologize to anyone I have harmed by my taping practices. I very much regret any embarrassment the recent revelations may have caused them.

During the first days of this controversy, the public received a good deal of information, not all of which was accurate. Some of the misinformation came from my anxiety and faulty recollection. I regret this. We have now finished collecting the transcripts in our possession and are compiling a chronology of the taping. I hope this information will put the early confusion to rest and show to the Committees of the Congress that the tapes do not reveal any wrongdoing.

I hope even more that the early confusion will not distract attention from the truly important features of this episode. I am sorry for my insensitivity in engaging in this practice and I hope all the current public attention will lead other government officials to behave more thoughtfully than I did.

DISTRIBUTION: X - All Employees in the U.S.

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FACT SHEET
UNITED STATES INFORMATION AGENCY

Eighty-one transcripts and four cassettes of telephone conversations recorded by USIA Director Charles Z. Wick were made available today to the Senate Foreign Relations Committee and the House Foreign Affairs Committee. The transcripts so delivered are of conversations recorded between July 8, 1981 and September 6, 1983. The practice has been discontinued. The number of telephone conversations recorded, with or without the consent of the other party, was only a small percentage of the Director's telephone calls. Many transcripts, once they served the legitimate purpose of conveying information for followup staff action, were discarded. The transcripts were not circulated beyond a small number of members of the Director's staff.

The Agency also made available to the Committees transcriptions of stenographic notes frequently taken by the Director's secretaries when he was talking on the telephone. Such notes are of conversations starting with May 27, 1982 and concluding on December 23, 1983. The notes provided are from 83 telephone conversations. The practice of taking such stenographic notes without notice to the other party has also been discontinued.

Stenographic notes were generally discarded once appropriate followup actions were taken by the Director or members of his staff. This was also the case of many of the transcripts of recorded telephone conversations; and all but a few of the cassettes were reused once a transcript was made. Those that were not reused have been turned over to the Committees.